

IT IS ORDERED

Date Entered on Docket: April 20, 2021



A handwritten signature in black ink that reads "David T. Thuma".

**The Honorable David T. Thuma
United States Bankruptcy Judge**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

In Re:

MATTHEW LEMELIN and
XUAN YU,

No. 20-11202t7

Debtors,

NUSENDA FEDERAL CREDIT UNION,

Movant.

**AGREED ORDER GRANTING RELIEF FROM STAY
AND THE ABANDONMENT OF PROPERTY**

This matter came before the Court on Nusenda Federal Credit Union ("Movant's") Motion for Relief from Stay and the Abandonment of Property filed on January 20, 2021. Pursuant to Bankruptcy Rule 9014, a copy of the motion along with a Notice of Deadline for Filing Objections to Motion for Relief from Stay was mailed on January 20, 2021 to the Debtors, and the Trustee, requiring that an objection be filed

with the court and served on attorney for movant on or before February 12, 2021. The Notice was served in the manner prescribed by Bankruptcy Rule 7004 and no objection or other responsive pleading has been filed by the Trustee.

THE COURT FINDS AND ORDERS that the Motion for Relief from Stay and Abandonment of Property filed by Movant on January 20, 2021 in this case is well taken, the motion is granted, the automatic stay is terminated, and the Debtor will surrender the 2014 GMC Truck and will pay off the remaining balance of \$5,919.77 for the 2013 Mazda Miata within fourteen (14) days of entry of this Order.

Upon entry of this Order, Nusenda may proceed with all available remedies for recovery of the 2014 GMC Truck and the Debtors will cooperate in surrendering the 2014 GMC Truck.

If the \$5,919.77 is not paid to Nusenda within fourteen (14) days of entry of this Order, Nusenda may proceed with all available remedies for recovery of the 2013 Mazda Miata and Debtors will cooperate in surrendering the 2013 Mazda Miata.

Upon receipt of the \$5,919.77, Nusenda will process releasing its lien on the title to the 2013 Mazda Miata and deliver the original title free and clear of all liens to Debtors. If Debtors receive a discharge, Debtors shall have no personal liability for any debts referred to in the motion for relief from stay filed herein (doc #23).

The Court further orders that Rule 4001(a)(3) is not applicable and Creditor may immediately enforce and implement this order granting relief from the automatic stay.

SUBMITTED BY:

WAINWRIGHT & ASSOCIATES, P.A.

By /s/Allan L. Wainwright

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AGREED TO:

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